

Message Text

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44

ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SPC-03 SS-15 ACDA-19 IO-13

CAB-09 COME-00 EB-11 FAA-00 AF-10 ARA-16 EA-11 SY-10

SCA-01 JUSE-00 DOTE-00 OIC-04 DRC-01 /197 W

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O R 161416Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC IMMEDIATE 788

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY TEL AVIV

AMCONSUL MONTREAL

USUN NEW YORK 1715

C O N F I D E N T I A L ROME 9683

E.I. 11652: GDS

TAGS: ICAO ETRN

SUBJECT: ICAO AIR SECURITY CONFERENCE: DEVELOPMENT OF BLOCKING
ONE-THIRD

MONTREAL FOR US REP ICAO

PLS PASS: LITTELL/CAB; DRISCOLL/DOT; STEWARD/FAA

REF: (A) STATE 183903 (B) ROME 9670 (C) STATE 184141

(D) ROME 9615

SUMMARY: INSTRUCTIONS REQUESTED ON ESTABLISHMENT BLOCKING
ONE-THIRD IN ASSEMBLY.

1. RE REF (A), USDEL CONCURS THAT IN LIGHT DEVELOPMENTS ON
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PRINCIPLES VOTES IN ASSEMBLY SEPT. 15 (BEING REPORTED SEPTTEL)

DEMARCHE ON THREE-TIER ISSUE WOULD BE OF DUBIOUS VALUE.

2. PER REF (C), TEXT OF THREE-TIER FORMULA HAS BEEN SENT SEPTEL. USDEL FULLY ENDORSES VIEWS OF DEPARTMENT CONTAINED PARA 2 REF (C) THAT ADOPTION THREE-TIER FORMULA WOULD BE MOST RETROGRADE STEP.

3. WITH DEFEAT OF PROSPECTS FOR ARTICLES 86 AND 87 OR ANY ALTERNATIVE (REPORTED SEPTEL) THERE WILL BE NO ENFORCEMENT PROVISION IN AMENDMENTS. USDEL ANTICIPATES ASSEMBLY WILL VOTE ON UK/SWISS/FRENCH PROPOSAL WITH SOME MODIFICATIONS AND UNBALANCED STATE ACT PROVISION (BEING REPORTED SEPTEL) PLUS THREE-TIER MECHANISM.

4. BEYOND OBVIOUS LEGAL PROBLEMS POSED BY THREE-TIER RATIFICATION FORMULA AND ITS IMBALANCING EFFECT UPON STATE ACTS PROVISION, USDEL BELIEVES PROPOSAL NOW TO BE VOTED ON IN ASSEMBLY MERIT NO RPT NO US SUPPORT. BASICALLY WE BELIEVE THEY SERVE NO PKRPOSE EXCEPT CREATE INCORRECT IMPRESSION ROME MEETINGS PRODUCED MEANINGFUL RESPONSE TO HIJACKING/SABOTAGE MENACE.

5. IN LIGHT FOREGOING USDEL WOULD LIKE INSTRUCTIONS TO ATTEMPT ORGANIZE BLOCKING THIRD TO ENSURE NO INSTRUMENT EMERGES FROM ASSEMBLY. IN DOING SO, WE WOULD HOPE CONTACT NUMBER OF DELEGATIONS OPPOSING AMENDMENTS FOR WIDELY DIFFERING REASONS. BECAUSE OF EXTREME TIME FACTORS WHEREBY ASSEMBLY WILL PROBABLY CAST FINAL VOTES SEPT. 19 AFTER FINAL CONSIDERATION DRAFTING COMMITTEE REPORT SEPT. 17, (CONFERENCE MEETS SEPT. 18) USDEL EFFORTS WOULD NOT ESCAPE EARLY NOTICE AND MIGHT ALSO DRAW CRITICISM FROM SOME QUARTERS.

6. IN MEANTIME, PURSUANT INSTRUCTIONS REF (A), USDEL WILL ATTEMPT ORGANIZE BLOCKING THIRD CONFINED TO THREE-TIER RATIFICATION PROVISION IN HOPES ELIMINATING IT IN ITEM-BY-ITEM VOTE ON FINAL DAY. USDEL WILL ALSO HAVE TO VOTE SEPT. 17 IN ASSEMBLY EXECUTIVE COMMITTEE IN FORMULATIONS REPORTED OUT OF DRAFTING COMMITTEE. AT THAT MEETING WE INTEND ABSTAIN ON UK/SWISS/FRENCH PROPOSAL EXCEPT FOR THREE-TIER PROVISION UPON WHICH WE PLAN REQUEST ROLL-CALL VOTE AND VOTE IN NEGATIVE. VOLPE
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Executive Order: GS VOLPE
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